

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

HOWARD JAMES REDMOND,	§	
	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO. 4:22-CV-00910-
	§	SDJ-AGD
BRUCE WILLIAMS, et al.,	§	
	§	
Defendants.	§	

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**


Came on for consideration the Report and Recommendation of the United States Magistrate Judge (“Report”), this matter having been referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On September 13, 2023, the Report of the Magistrate Judge, (Dkt. #27), was entered containing proposed findings of fact and recommendation that Defendant Shellpoint’s Motion to Dismiss (Dkt. #20) be granted on other grounds and that this case be dismissed with prejudice under Federal Rule of Civil Procedure 12(b)(1); that Plaintiff’s Motions (Dkt. #13; Dkt. #16) be denied as moot; and that Defendant Shellpoint’s Opposed Motion for Extension of Time to Respond to Complaint (Dkt. #10) be denied as moot.

Plaintiff requested an extension of time to file objections to the Report (Dkt. #28). Plaintiff’s request was granted, and Plaintiff’s objections to the Report were due by October 12, 2023 (Dkt. #29). Plaintiff did not file his objections until November 1, 2023 (Dkt. #31). Regardless of the untimeliness of Plaintiff’s objections, the Court has conducted a de novo review of the objections and the portions of the Report to which

Plaintiff specifically objects. Having done so, the Court concludes that the findings and conclusions of the Magistrate Judge are correct, and the objections are without merit as to the ultimate recommendation of the Magistrate Judge. The Court adopts the Magistrate Judge's Report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Defendant Shellpoint's Motion to Dismiss (Dkt. #20) is **GRANTED** on other grounds and this case is **DISMISSED WITH PREJUDICE** under Federal Rule of Civil Procedure 12(b)(1); that Plaintiff's Motions (Dkt. #13; Dkt. #16) are **DENIED** as moot; and that Defendant Shellpoint's Opposed Motion for Extension of Time to Respond to Complaint (Dkt. #10) is **DENIED** as moot.

So ORDERED and SIGNED this 5th day of February, 2024.


SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE